

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 1, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-34509 – EXTENSION OF TIME – SPECIAL USE PERMIT
– APPLICANT/OWNER: LIVING WATERS BAPTIST CHURCH**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-19483) shall expire on May 16, 2010 unless another Extension of Time is approved by the City Council.
2. Conformance to all conditions of approval of Special Use Permit (SUP-19483) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently undeveloped with a previously approved Special Use Permit (SUP-19483) for a Church/House of Worship on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue. Since the original approval of the Special Use Permit (SUP-19483), a building permit has not been issued for the proposed development. There has been no new development or changes in land use in the surrounding area. The applicant is requesting a one-year extension of time to continue their funding process and development for the proposed project. Staff is recommending approval.

It is noted that there are two (2) related Extension of Times (EOT-34511 and EOT-34512) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/16/07	The City Council approved a request for a Church/House of Worship on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue. The Planning Commission recommended approval on 04/12/07.
05/16/07	The City Council approved a request for a Site Development Plan Review (SDR-19484) for a 10,327 square-foot Church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight-foot wide buffer is required on 2.88 acres on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue. The Planning Commission recommended approval on 04/12/09.
05/16/07	The City Council approved a request for a Rezoning (ZON-20602) from R-E (Residence Estates) to R-2 (Medium Density Residential) on 2.88 acres on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue. The Planning Commission recommended approval on 04/12/09.
<i>Related Building Permits/Business Licenses</i>	
02/12/09	A Plan Check application (25873) was submitted for a new church at 947 North Sandhill Road. The plans are in the process of being reviewed by various departments.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	

Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.29

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land-Proposed Church	ML (Medium-Low Density Residential)	R-E (Residence Estates) with a Resolution of Intent to R-2 (Medium Density Residential)
North	Undeveloped Land-Proposed City Park	PR/OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Single-Family Residences	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact Lot)
East	Drainage Channel	PF (Public Facilities)	ROW (Right-of-Way)
West	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an extension of time of a previously approved Special Use Permit (SUP-19483) for a Church/House of Worship on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue. Since the approval of the Special Use Permit (SUP-19483), the applicant has submitted plans (Plans Check 25873) for the project, which are being reviewed by various departments. In accordance with Title 19.18.060, a Special Use Permit is exercised upon the approval of a business license for the activity, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

The Special Use Permit (SUP-19483) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. Though plans were submitted for the proposed project, building permits for the construction of the church have not been issued. The applicant is requesting a one-year extension of time to continuing the funding process and development of the proposed project. Staff is recommending approval of this request with a one-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-19483) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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